

Appl. No. 10/679,450
Response to Election of Species Requirement
Mailed March 21, 2005
Attorney Docket No. 25746

REMARKS

Claims 1 - 6 are pending in the application and are presented for a first substantive examination on the merits.

In the outstanding Office Action, claims 1 – 6 were subjected to an election of species requirement. Claims 4 – 6 are hereby withdrawn without prejudice or disclaimer.

By this Response to Election of Species Requirement, an election without traverse, is made.

Election of Species Requirement Summary

The Examiner has required election of one of two species of invention and requires identification of the claims reading on the elected species. The Examiner asserts that a first species (species 1) is depicted in Figure 10 and is readable upon claims 1 - 3; and a second species (species 2) is depicted in Figures 11 and is readable upon claims 4 - 6.

Response

Applicant elects to continue prosecution of Species 1, Figure 10, without traverse, and asserted to be readable on claims 1 - 3. However, Applicant's election in no way is an indication of an intent to limit the aforementioned claims to the embodiment depicted in Figure 10.

In view of the foregoing, Applicant respectfully requests that the Examiner reconsider and withdraw the restriction requirement, and to examine all of the claims pending in this application.

CONCLUSION

In light of the foregoing, Applicant respectfully requests the Examiner to conduct a first

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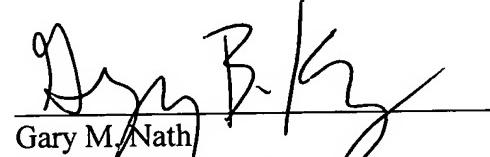
substantive examination of the application. If the Examiner has any questions or comments regarding this matter, he is welcomed to contact the undersigned attorney at the below-listed number and address.

In the event this paper is not timely filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,
NATH & ASSOCIATES PLLC

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